

UNITED STATES DISTRICT COURT

for the

Central District of California

In the Matter of the Search of)

(Briefly describe the property to be searched or identify the)
person by name and address))

Case No. 8:23-MJ-00600-DUTY)

Priority Mail Express brown cardboard box bearing)
tracking number EI 152 101 740 US further)
described in Attachment A)

WARRANT BY TELEPHONE OR OTHER RELIABLE ELECTRONIC MEANS

To: Any authorized law enforcement officer

An application by a federal law enforcement officer or an attorney for the government requests the search of the following person or property located in the Central District of California (*identify the person or describe the property to be searched and give its location*):

See Attachment A

I find that the affidavit(s), or any recorded testimony, establish probable cause to search and seize the person or property described above, and that such search will reveal (*identify the person or describe the property to be seized*):

See Attachment B

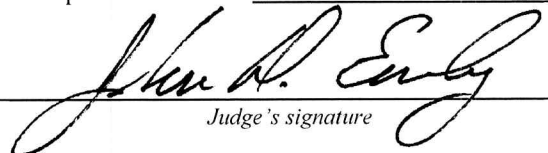
Such affidavit(s) or testimony are incorporated herein by reference and attached hereto.

YOU ARE COMMANDED to execute this warrant on or before 14 days from the date of its issuance (*not to exceed 14 days*)☒ in the daytime 6:00 a.m. to 10:00 p.m. ☐ at any time in the day or night because good cause has been established.

Unless delayed notice is authorized below, you must give a copy of the warrant and a receipt for the property taken to the person from whom, or from whose premises, the property was taken, or leave the copy and receipt at the place where the property was taken.

The officer executing this warrant, or an officer present during the execution of the warrant, must prepare an inventory as required by law and promptly return this warrant and inventory to the U.S. Magistrate Judge on duty at the time of the return through a filing with the Clerk's Office.

☐ Pursuant to 18 U.S.C. § 3103a(b), I find that immediate notification may have an adverse result listed in 18 U.S.C. § 2705 (except for delay of trial), and authorize the officer executing this warrant to delay notice to the person who, or whose property, will be searched or seized (*check the appropriate box*)

☐ for ____ days (*not to exceed 30*) ☐ until, the facts justifying, the later specific date of _____.Date and time issued: 12/7/2023 @ 12:51 p.m.City and state: Santa Ana, CAAUSA: Benjamin R. Barron
Judge's signatureHonorable John D. Early, U.S. Magistrate Judge
Printed name and title

-AO 93C (Rev. 8/18) Warrant by Telephone of Other Reliable Electronic Means (Page 2)

Return

Case No.:

8:23-MJ-00600-DUTY

Date and time warrant executed:

12/08/23 10:16am

Copy of warrant and inventory left with:

USPS

Inventory made in the presence of:

Inspector Matt Shields

Inventory of the property taken and name of any person(s) seized:

USPS Express package # EI 152 101 740 US

- approx. 12,140 gg of white Crystallized substance suspected to be methamphetamine
- package and packaging material.

Certification

I declare under penalty of perjury that this inventory is correct and was returned along with the original warrant to the designated judge.

Date:

12/08/23



Executing officer's signature

Sumyra Duy / U.S. Postal Inspector

Printed name and title

AFFIDAVIT

I, Sumyra Duy, being duly sworn, declare and state as follows:

TRAINING AND EXPERIENCE

1. I am a United States Postal Inspector ("USPI") with the United States Postal Inspection Service ("USPIS") and have been so employed since May 2012. I am currently assigned to the Contraband Interdiction and Investigation - South Team of the Los Angeles Division, which is responsible for investigating drug trafficking violations involving the United States Mail to distribute controlled substances and/or controlled substances proceeds.

2. I have completed a twelve-week basic law enforcement training course in Potomac, Maryland, which included training in the investigation of narcotics trafficking via the United States Mail. Additionally, I have attended a 40-hour Los Angeles Police Department Peace Officer Standards and Training Certified Academy Narcotics School. Prior to becoming a USPI, I worked as a financial investigator. I hold a Bachelor of Arts degree from California State University, Fullerton in Sociology and a Master's of Advanced Study from University of California, Irvine in Criminology, Law and Society. As part of my law enforcement duties, I have conducted numerous parcel investigations that have resulted in the arrest of individuals who have received and distributed controlled substances, as well as the seizure of the controlled substances and/or the proceeds of the sales of controlled substances.

I. PURPOSE OF AFFIDAVIT

3. This affidavit is made in support of a search warrant for the SUBJECT PARCEL described below in paragraph 5 and Attachment A. The items to be seized constitute the fruits, instrumentalities, and evidence of violations of Title 21, United States Code, Sections 841(a)(1) (Possession with Intent to Distribute a Controlled Substance) and 843(b) (Unlawful Use of a Communication Facility (including the mails) to Facilitate the Distribution of a Controlled Substance).

4. The facts set forth in this affidavit are based upon my personal observations, my training and experience, and information obtained from various law enforcement personnel and witnesses. This affidavit is intended to show merely that there is sufficient probable cause for the requested warrant and does not purport to set forth all of my knowledge of or investigation into this matter. Unless specifically indicated otherwise, all conversations and statements described in this affidavit are related in substance and in part only.

II. PARCEL TO BE SEARCHED

5. This affidavit is made in support of an application for a search warrant for the following United States Postal Service ("USPS") Priority Mail Parcel (hereinafter referred as the "SUBJECT PARCEL"). The SUBJECT PARCEL is currently secured at the United States Postal Inspection Service office located in Santa Ana, California, and is described as follows:

a. The SUBJECT PARCEL is a Priority Mail Express brown cardboard box bearing tracking number EI 152 101 740 US.

The SUBJECT PARCEL contains a handwritten Priority Mail Express mailing label dated November 30, 2023, and is addressed to "jim ou, 1316 64th st, Brooklyn, NY, 11219, 626-209-6328". The listed return address on the SUBJECT PARCEL is "Lie de hua, 14813 Gardenhill Dr, La Mirada, CA, 90638, 626-298-0088". The SUBJECT PARCEL weighs 33 pounds, 1 ounce and was paid with \$264.60 in postage.

III. ITEMS TO BE SEIZED

6. The items to be seized from the SUBJECT PARCEL constitute fruits, instrumentalities, and evidence of violations of Title 21, United States Code, Sections 841(a)(1) and 843(b). The items to be seized are identified in Attachment B and are incorporated herein by reference.

IV. STATEMENT OF PROBABLE CAUSE

A. Background

7. As described in detail below, the SUBJECT PARCEL is an outbound parcel shipped from the Southern California area and was selected for investigation because it met certain criteria common to packages containing contraband. The SUBJECT PARCEL is believed to contain controlled substances or the proceeds from the trafficking of controlled substances based on, among other things, as stated below.

8. Based on my training and discussions with experienced Postal Inspectors, I know that Postal Inspectors have been conducting investigations of drug trafficking via USPS Express Mail and Priority Mail since the mid-1980s. In particular, they

began conducting organized interdictions of Express Mail and Priority Mail Parcel suspected of containing controlled substances and proceeds from the sale of controlled substances in Los Angeles, California, in the early 1990s. Along with conducting organized interdictions, Postal Inspectors also regularly examine and investigate Express Mail and Priority Mail Parcel throughout the year. During the 1990s, Postal Inspectors observed that the trend was for drug traffickers to send controlled substances and proceeds from the sale of controlled substances using boxes, with the proceeds in the form of cash. Although Postal Inspectors still see the use of boxes for controlled substances and cash, there has been a gradual change over the years toward the current trend of smaller boxes, flat cardboard envelopes, and Tyvek envelopes, with proceeds from the sale of controlled substances converted to money orders. By using money orders, drug traffickers are able to send large dollar amounts in compact form, using much smaller conveyances that lend a sense of legitimacy to the parcel.

9. From my training, personal experience, and the collective experiences related to me by Postal Inspectors on my team who specialize in investigations relating to the mailing of controlled substances and drug proceeds, I am aware that the greater Los Angeles area is a major source area for controlled substances. As such, controlled substances are frequently transported from the greater Los Angeles area via the United States Mail, and the proceeds from the sale of the controlled substances are frequently returned to the greater Los Angeles

area via the United States Mail. These proceeds are generally in large amounts of money over \$1,000.

10. I also know based on my training and experience that drug traffickers will often use one of two USPS services: Priority Mail Express Service, which is the overnight/next day delivery mail service, and Priority Mail Service, which is the two-to-three day delivery mail service. Drug traffickers use Priority Mail Express delivery services because of their speed, reliability, and the ability to track the package's progress to the intended delivery point. Drug traffickers often use Priority Mail delivery services because they allow drug traffickers more time for travel between states if they are following their shipments to their destinations for distribution. Like Priority Mail Express, Priority Mail also allows drug traffickers to track the package's progress to the intended delivery point.

11. Based on information derived and built upon over many years, I, like other Postal Inspectors and Task Force Officers, initially look for certain characteristics when examining Priority Mail Express and Priority Mail for controlled substances or drug proceeds. These characteristics include:

- a. The article is contained in a box, flat cardboard mailer, or Tyvek envelope;
- b. The article bears a handwritten label; and/or
- c. The handwritten label on the article does not contain a business account number.

12. Parcel found to meet these characteristics are scrutinized by Postal Inspectors and Task Force Officers through further investigation, which may include return and addressee address verifications and trained narcotics-detecting canine examination. Postal Inspectors and Task Force Officers will also look for additional drug or drug proceed parcel characteristics such as:

- a. The seams of the article are taped or glued shut;
- b. The article emits the odor of a cleaning agent, adhesive, or spray foam, detectable by a human; and/or
- c. Multiple articles are mailed from the same individual, on the same day, to different locations.

13. Based on my training and experiences and information learned during discussions with Postal Inspectors, I know that drug traffickers often use fictitious or incomplete names and/or addresses in an effort to conceal their identity from law enforcement. Indeed, it is my experience that when real addresses are used, it is only to lend a legitimate appearance to the parcel and is almost always paired with a false name.

B. Investigation Regarding the SUBJECT PARCEL

14. On November 30, 2023, the SUBJECT PARCEL, located in the greater Los Angeles area, was identified as meeting some of the initial suspicious characteristics described above during routine parcel profiling.

15. On December 1, 2023, I went to the post office located at 14901 Adelfa Dr, La Mirada, California 90638 ("La Mirada Main Post Office") to further examine the SUBJECT PARCEL. I observed

the SUBJECT PARCEL met some of the initial suspicious characteristics described above in paragraph 11 and 12, such as:

a. The article bore a handwritten mailing label that does not contain a business account number; and

b. All the seams of the article are taped shut.

16. I detained the SUBJECT PARCEL for further investigation. I transported and secured the SUBJECT PARCEL at the USPIIS office in Santa Ana.

C. CLEAR Database Check

17. On December 1, 2023, I utilized CLEAR to search for information on the listed sender and recipient for the SUBJECT PARCEL. CLEAR is a public information database used by law enforcement to run queries for records names, addresses, telephone numbers, and other identifying information.

18. I searched the listed sender name for the SUBJECT PARCEL, "Liu de hua" and the listed address of 14813 Garden hill Dr, La Mirada, CA, 90638, and identified no records showing that a person with that the name resides at the address. I also searched the listed phone number 626-298-0088 and the name "Liu de hua," and found no records confirming the use of that telephone number by such a person.

19. I also searched the listed recipient name for the SUBJECT PARCEL, "jim ou", at the listed address of 1316 64th St, Brooklyn, NY, 11219 and found nor records associating that name name with the address. I searched the listed phone number 626-209-6328 and the name "ji ou" and, here again, found no records.

20. Based on my training and experience and this investigation, I know that drug traffickers often use fictitious or incomplete names and/or addresses in an effort to conceal their identity from law enforcement. Indeed, it is my experience that when real addresses are used, it is only to lend a legitimate appearance to the parcel and is almost always paired with a false name.

E. Canine Examination on the SUBJECT PARCEL

78. On December 4, 2023, USPIS Task Force Officer ("TFO") Gabriel Gutierrez and his narcotics-detection canine, "Poppy", conducted an exterior examination of the SUBJECT PARCEL. TFO Gutierrez informed me that Poppy gave a positive alert to the SUBJECT PARCEL, indicating the presence of controlled substances or other items that emitted the odor of controlled substances, in the SUBJECT PARCEL. Attached hereto as Exhibit 1, which I incorporate fully herein by reference, is a report setting forth information provided by TFO Gutierrez regarding Poppy's training and history in detecting controlled substances, and investigation of the SUBJECT PARCEL.

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V. CONCLUSION

80. Based on the above, I believe there is probable cause to believe that the SUBJECT PARCEL, described in Attachment A, contains evidence of violations of Title 21, United States Code, Sections 841(a)(1) and 843(b), as described in Attachment B.

Attested to by the applicant in accordance with the requirements of Fed. R. Crim. P. 4.1 by telephone on this 7th day of December 2023.



JOHN D. EARLY

UNITED STATES MAGISTRATE JUDGE

Attachment A

PARCEL TO BE SEARCHED

The SUBJECT PARCEL is a Priority Mail Express brown cardboard box bearing tracking number EI 152 101 740 US. The SUBJECT PARCEL contains a handwritten Priority Mail Express mailing label dated November 30, 2023, and is addressed to "jim ou, 1316 64th st, Brooklyn, NY, 11219, 626-209-6328". The listed return address on the SUBJECT PARCEL is "Lie de hua, 14813 Gardenhill Dr, La Mirada, CA, 90638, 626-298-0088". The SUBJECT PARCEL weighs 33 pounds, 1 ounce and was paid with \$264.60 in postage. The SUBJECT PARCEL is currently in the secured custody of the United States Postal Inspection Service in Santa Ana, California.

ATTACHMENT B

ITEMS TO BE SEIZED

The following are the items to be seized from the SUBJECT PARCEL, which constitute the fruits, instrumentalities, and evidence of violations of Title 21, United States Code, Sections 841(a)(1) (Distribution and Possession with Intent to Distribute a Controlled Substance) and 843(b) (Unlawful Use of a Communication Facility (including the mails) to Facilitate the Distribution of a Controlled Substance):

- a. Any controlled substances, including marijuana;
- b. Currency, money orders, bank checks, or similar monetary instruments in aggregate quantities over \$1,000; and
- c. Any associated packaging.

AFFIDAVIT**HANDLER GABRIEL GUTIERREZ
AND K9 "POPPY"**

I am currently employed by the Santa Ana Police Department, and assigned as a Detective to the Vice/Narcotics Unit. As of April 7th, 2021, I was assigned as a Narcotic Detection Canine Handler. "Poppy" who is a 3 year old female Black Labrador Retriever, was acquired by the Santa Ana Police Department on April 7th, 2021. Subsequently, I was assigned as POPPY'S full-time canine handler on this day.

POPPY and I have received training as a Narcotic Detection Canine Team by "Scenturion Canine Consulting LLC," which is located in Fontana, California. Poppy and I completed 4 weeks of formal Narcotic Detection Training taught by "Scenturion Canine Consulting LLC" from April 12, 2021 through May 6th, 2021. During that time, POPPY has been trained to detect and alert to the odors of Marijuana, Methamphetamine, Cocaine, Heroin, MDMA (Ecstasy) and their derivative. POPPY has been trained to show a "passive alert" in response to detecting any of these narcotic odors. Prior to her final alert POPPY will often make sudden change of direction towards the source of the odor, her breathing pattern will change and she may take several deep inhalations through his nose, and then appear to stop taking breaths. Also, without direction, POPPY may also jump up into and/or crawl under obstacles to get closer to the source of the odor(s). This passive alert may also indicate item(s) that may have recently been contaminated with the odor of one or more of the aforementioned narcotics for which POPPY has been trained to detect.

Also, while training at "Scenturion Canine Consulting LLC," POPPY and I completed over 400 narcotic related and "blank" sniffs. These sniffs consisted of commercial buildings, residential homes, vehicles, transport trucks, packages/parcels, luggage, and many other different types of structures and objects. During these training sessions, the "training aids" were concealed in various locations, inside and/or outside, and POPPY was used to detect and locate them. POPPY and I, have also conducted sniffs where there were no narcotics present (blanks), and POPPY did not adversely alert to these locations that were deemed blank.

On May 6th, 2021, POPPY and I passed the initial California POST certification process through "CNCA," which was conducted by a recognized CNCA Certified K9 trainer/instructor, to detect the odors of Marijuana, Methamphetamine, Cocaine, Heroin, MDMA (Ecstasy) and their derivative. It was on this day, POPPY and I became a CA POST Certified Narcotics Detection Team. On January 14, 2022 and December 22, 2022, POPPY and I re-certified as a CA POST Certified Narcotics Detection Team through "CNCA". I am also a current member of the California Narcotics Officers Association (CNOA).

During the week of June 6, 2023, Poppy was trained to detect and alert to the odor of Fentanyl and its derivatives. On June 9, 2023, Poppy and I passed the California POST certification process through "CNCA," which was conducted by a recognized CNCA Certified K9 trainer/instructor, to detect the odor of Fentanyl and its derivatives.

On December 4, 2023, my police canine and I assisted with a narcotic parcel investigation. Canine Poppy alerted to the presence of the odor of illegal narcotics emitting from the following parcel.

USPS Parcel: EI 152 101 740 US

Addressed To: jim ou

1316 64th st Brooklyn
NY 11219



Detective Corporal G. Gutierrez #3252
Santa Ana PD

EXHIBIT 1